



PATENT
Attorney Docket No.: NNM-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Mayes *et al.*
SERIAL NO.: 09/308,166 GROUP NO.: 1773
FILING DATE: June 25, 1999 EXAMINER: Resan, Stevan A.
TITLE: MAGNETIZABLE DEVICE

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE

This paper is submitted in response to the pending Office Action, mailed from the U.S. Patent and Trademark Office on March 5, 2004, for which the shortened statutory period set for response expires on June 5, 2004. Applicants enclose a check in the amount of \$442 in payment of the extra claims fee. Applicants believe that no extension-of-time fee is required for this Amendment and Response to be entered and considered. However, please consider this a conditional petition for the proper extension, if one is required, and a conditional authorization to charge any related extension fees or other fees necessary for entry and consideration of this paper to Deposit Account No. 20-0531.

Please make the following amendments, without prejudice, and consider the following remarks.

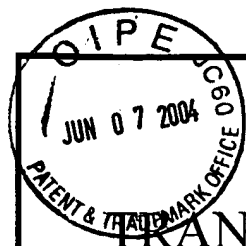
Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Applicants' **Remarks** begin on page 11 of this paper.

06/09/2004 MAHMD1 00000001 09308166

01 FC:2201
02 FC:2202

172.00 OP
270.00 OP



TRANSMITTAL FORM

1773 41
EFW

Application Serial Number	09/308,166
Filing Date	June 25, 1999
First Named Inventor	Mayes
Group Art Unit	1773
Examiner Name	Resan, Stevan A.
Attorney Docket No.	NNM-001
Patent No.	Not applicable
Issue Date	Not applicable

ENCLOSURES (check all that apply)

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input checked="" type="checkbox"/> Check Attached
<input type="checkbox"/> Copy of Fee Transmittal Form

<input checked="" type="checkbox"/> Amendment and Response
<input type="checkbox"/> Preliminary
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]

<input type="checkbox"/> Petition for Extension of Time

<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Form PTO-1449
<input type="checkbox"/> Copies of IDS Citations

<input type="checkbox"/> Certified Copy of Priority Document(s)

<input type="checkbox"/> Sequence Listing submission
<input type="checkbox"/> Paper Copy/CD
<input type="checkbox"/> Computer Readable Copy
<input type="checkbox"/> Statement verifying identity of above | <input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553)

<input type="checkbox"/> Formal Drawing(s)

<input type="checkbox"/> Request For Continued Examination (RCE) Transmittal

<input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)

<input type="checkbox"/> Terminal Disclaimer

<input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application

<input type="checkbox"/> Small Entity Statement

<input type="checkbox"/> CD(s) for large table or computer program

<input type="checkbox"/> Amendment After Allowance

<input type="checkbox"/> Request for Certificate of Correction
<input type="checkbox"/> Certificate of Correction (in duplicate) | <input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences

<input type="checkbox"/> Appeal Brief (in triplicate)

<input type="checkbox"/> Status Inquiry

<input checked="" type="checkbox"/> Return Receipt Postcard

<input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8

<input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8

<input type="checkbox"/> Additional Enclosure(s) (please identify below) |
|--|--|---|

CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110
Tel. No.: (617) 248-7000
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SIGNATURE BLOCK

Respectfully submitted,

Mark L. Belgorodov
Attorney for Applicants
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110

Date: June 4, 2004
Reg. No. 50,773
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FEE TRANSMITTAL
FY 2004

Complete if Known

Application Serial Number	09/308,166
Filing Date	June 25, 1999
First Named Inventor	Mayes
Group Art Unit	1773
Examiner Name	Resan, Stevan A.
Attorney Docket No.	NNM-001

METHOD OF PAYMENT

1. ☒ Payment Enclosed:
☒ Check ☐ Money Order ☐ Other
2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.
☐ Required Fees (copy of this sheet enclosed).
☒ Additional fee required under 37 CFR 1.16 and 1.17.
☒ Overpayment Credit.
3. ☐ Applicant claims small entity status.

FEE CALCULATION

1. FILING FEE

Large Entity

Fee (\$)	Fee Description	Fee Paid
770	Utility filing fee	
340	Design filing fee	
160	Provisional filing fee	

Number Filed	Number Extra	Rate	Amount
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Total Claims - 20 = x \$ 18.00 =

Independent Claims - 3 = x \$ 86.00 =

☐ Multiple Dependent Claim(s), if any \$290.00 =

TOTAL: .00

SMALL ENTITY DISCOUNT:

SUBTOTAL (1) (\$) .00

2. AMENDMENT CLAIM FEES

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
Total 62	- = 32	30	x \$ 18.00	540.00
Indep. 8	- = 4	4	x \$ 86.00	344.00
<input type="checkbox"/> First Presentation of Multiple Dep. Claim				+ \$290.00

TOTAL: (\$884.00

SMALL ENTITY DISCOUNT: (\$442.00

SUBTOTAL (2) (\$442.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte reexamination	
110	55	Extension for reply within first month	
420	210	Extension for reply within second month	
950	475	Extension for reply within third month	
1480	740	Extension for reply within fourth month	
2010	1005	Extension for reply within fifth month	
330	165	Notice of Appeal	
330	165	Filing a brief in support of an appeal	
290	145	Request for oral hearing	
130	130	Petitions to the Commissioner	
180	180	Submission of Information Disclosure Statement	
770	385	Filing a submission after final rejection (37 CFR 1.129(a))	
770	385	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	
110	55	Submission of Terminal Disclaimer	

Other fee (Specify)

Other fee (Specify)

SUBTOTAL (3) (\$)

SUBTOTAL (1) 0.00

SUBTOTAL (2) 442.00

SUBTOTAL (3) 0.00

TOTAL (\$) 442.00

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Respectfully submitted,

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